

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134965/FH/2022

Date registered valid: 16 September 2022

Proposal: Erection of a two storey extension to front of property to form garage with living accommodation above, following demolition of existing garage; Erection of a single storey rear extension to form additional living accommodation and associated elevational alterations.

Address: 21 Millgate Lane, Didsbury, Manchester, M20 2SW

Ward(s): Didsbury East Ward

Applicant: Ms Caroline Wall

Agent (if any): Stephen Gittner, Gagarin Studio

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 January 2023



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 October 2022

Standard consultations: Printed: 23 September 2022 Expired: 14 October 2022

Neighbour notifications: Printed: 23 September 2022 Expired: 14 October 2022

Site notice: Posted: 28 September 2022 Expired: 19 October 2022

Press advert: Published: 4 October 2022 Expired: 25 October 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: T6 holly tree within front garden

The application relates to a sizable two storey detached mid-century dwellinghouse of brown brick and cream painted timber, with a concrete tiled gable roof and attached garage projecting to the front, linked via a covered porch. The plot includes a tarmac driveway and established planting to the front (including a holly tree with a TPO) facing Millgate Lane, with access down both sides of the house to the generous rear garden which also contains established planting and trees, with a pedestrian gate onto Kingston Road.



Description of area

Millgate Lane is a predominantly residential road which lies within the Didsbury St James conservation area and is mixed in character. It features a variety of detached and semi-detached family dwellinghouses of differing styles, ages and materials.

Description of development

The applicant wishes to build a two storey extension to front of property to form a double garage with living accommodation above, following demolition of existing garage, plus the erection of a single storey rear extension to form additional living accommodation, single storey side extension to form external store and associated alterations and works including a canopy, new timber panelling to front and hard and soft landscaping.

Consultations & Notification Responses

Local residents, as per appendix 1 – No objections received. One neutral comment submitted, in which a local resident queried the dimensions for information.

Highway Services – No objection to the proposal but requested an informative be attached.

Environmental Health – *I have reviewed the above application and have no comments/objections to make. The site falls outside the 50m buffer for the moderate risk landfill at Parrs wood.*

Neighbourhood Team Leader (Arboriculture) – *The applicant has proposed to remove 1 x magnolia shrub/tree from the front of the property in order to facilitate the proposed development and 1 x Laburnum due to condition. Please note, there is a Tree Preservation Order on Holly (T6) and as such, this tree should be afforded adequate tree protection should this development proposal be granted. I have attached the TPO for reference. To conclude, we have no objection to the proposals for this site, subject to BS:5837 being strictly adhered to.*

Urban Design & Conservation – No comments received.

Didsbury Civic Society – No comments received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP, 1995), saved policies of relevance:

- Policy DC1 - Residential Extensions
- Policy DC18 - Conservation Areas

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF 2012, amended in 2021):

- Chapter 12 – Achieving well-designed places

- Chapter 16 – Conserving and enhancing the historic environment

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.



Issues

Principle – The principle, of building a two storey front extension with single storey side and rear extensions, elevational alterations and landscaping, to provide additional and improved living accommodation for a family dwellinghouse is acceptable given the provisions of saved UDP policy DC1. However, consideration must be given to the proposals siting, scale and massing, appearance, impact upon existing levels of residential and visual amenity and upon the character of the conservation area.

Siting, scale and massing – The proposed two storey front extension would replace the existing garage, with roughly the same footprint, projecting 9.5m forward of the principle elevation and leaving a gap of 1.26m to the boundary shared with No.21a. With the addition of a first floor in this location, the height would increase to 6.3m, which is 2.15m lower than the main house. The single storey rear extension would occupy the full width of the house, with a depth of 2.46m and a height of 3.4 and to the side an external store would project 1.6m to the boundary. Beyond this a 3.2m high canopy would project a further 1.33m, which, with the side and rear, would accords with permitted development in terms of dimensions. This canopy would extend round the front of the property, to shade a new patio area and link up with the front extension. The extensions accord with saved UDP policy DC1. The first floor elements are set away from the shared which ensures that the height of the extension is acceptable. The additions are considered subservient and appropriated scaled and sited, pursuant to policies DM1, DC1 and SP1.

Landscaping – Two trees are to be felled, a category C crab apple and a category U laburnum, and to replace these a clear stemmed tree, multi-stemmed tree and 3 fruit trees are to be planted, along with new hedging, vegetable beds, ornamental planting and new lawn. New paths, a water feature and pergola are also proposed within the large rear garden. The MCC

arborist accepted the proposals with no objection. Conditions have been attached to ensure tree works are carried out properly.



Design and impact upon visual amenity and conservation area – Whilst the design of the proposal is contemporary, it is considered that the contrasting high quality materials ensure that it is not an incongruous addition to this mid-century property. The existing property is pale brown brick with concrete tiles and pale fenestration. The new materials would include brick to match, natural blue roof slates, weathered timber cladding to replace the cream painted cladding to the front elevation as well as covering the side and rear extensions, plus aluminium double glazed casement windows, grey rooflights and green sedum roofing to the rear. Due to the location and established planting along the front and rear boundaries (see images below), the works would not be overly visible from the highway and therefore would not feature prominently within the streetscene of either Millgate Lane or Kingston Road. Extensions and alterations are a common feature of Didsbury due to the long-term wealth of the area and prevalence of owner-occupied properties. Both policy EN3 and saved policy DC18 state that applications within conservation areas should preserve or enhance the appearance and character of the conservation area and that it is desirable for retention of existing features, such as boundary walls, gardens, trees and, where possible, preserving, enhancing the character, setting within the conservation area. The proposal does not remove important features of the property and the principal frontage would remain similar to existing, though the house itself does not have particular architectural or historic merit. Due to the siting and scale of the extensions it is not considered that the proposal would have an unduly detrimental impact upon the character of the Didsbury St James Conservation Area and as a result it is considered that the proposal will lead to less than substantial harm to the significance of this designated heritage asset.

Residential amenity – The front extension would lie 1.26m from the boundary shared with No.21a to the south, in line with their side elevation. Given the gap and orientation, this element of the proposal is not considered to unduly impact upon this neighbour. The single storey side and rear elements are relatively small in scale and therefore also not considered to impact upon the neighbours. The landscaping and elevational alterations would not impact residential amenity. The side-facing windows at first floor have been conditioned to be obscurely glazed to prevent overlooking. The balcony proposed for the front extension would be inset and would only provide views over the front garden and greenspace beyond Millgate Lane. In addition, no

objections were received, hence the proposal is deemed acceptable in terms of impacts upon residential amenity.



(View from Millgate Lane)



(View from Kingston Road)

Conclusion – The proposal broadly complies with policies DC1 and DC18 of the UDP, DM1, SP1 and EN3 of the Core Strategy and the National Planning Policy Framework. It received no objections and is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers or cause substantial harm to the visual amenity of the house nor the character of Didsbury St James Conservation Area. The proposed development is deemed acceptable and may commence in accordance with the following conditions and approved drawings.

Other Legislative Requirements

Equality Act 2010 – Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following revised drawings:

- Site plans: '1001 2', '3001 C' and '3001 2'
- Floor plans: '3200 C' and '3201 C'
- Elevations: '3300 C', '3301 C', '3302 C' and '3303 C'
- Tree survey: 'TPP 002'

Stamped as received by the City Council as Local Planning Authority on the 9th December 2022.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extensions and alterations hereby permitted shall match those specified on the revised drawings received on the 9th December 2022.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The proposed first floor windows, on the side elevations facing No.21a Millgate Lane and No.44 Kingston Road, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Urban Design & Conservation
Didsbury Civic Society

Apartment 5, 23 Millgate Lane, Didsbury, Manchester, M20 2SD

Apartment 4, 23 Millgate Lane, Didsbury, Manchester, M20 2SD
Apartment 3, 23 Millgate Lane, Didsbury, Manchester, M20 2SD
Apartment 2, 23 Millgate Lane, Didsbury, Manchester, M20 2SD
Apartment 1, 23 Millgate Lane, Didsbury, Manchester, M20 2SD
53 Kingston Road, Manchester, M20 2SB
42 Kingston Road, Manchester, M20 2SB
47 Kingston Road, Manchester, M20 2SB
21A Millgate Lane, Didsbury, Manchester, M20 2SW
3 Kingston Avenue, Manchester, M20 2SP
56 Kingston Road, Manchester, M20 2SB
44 Kingston Road, Manchester, M20 2SB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Didsbury St James Conservation Area 1970
Historic Landfill Site 250m Buffer
Area Team Boundary - Name: SOUTH AREA